

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In re: ) Joint Case No. 04 B 23758  
)  
POLO BUILDERS, INC., et al., ) Chapter 7  
)  
Debtors. ) Honorable A. Benjamin Goldgar

**ORDER AUTHORIZING CHAPTER 7 TRUSTEE TO  
RETAIN FREEBORN & PETERS LLP AS SPECIAL COUNSEL**

Upon consideration of the *Application for Order Authorizing Chapter 7 Trustee to Retain Freeborn & Peters LLP as Special Counsel* (the "*Application*") filed by David R. Brown, the Chapter 7 trustee (the "*Trustee*") appointed in the above-captioned, jointly-administered cases; the Court having reviewed the *Application* and the *Affidavit of Harley J. Goldstein in Accordance With Section 327(e) of the Bankruptcy Code and Rule 2014 of the Federal Rules of Bankruptcy Procedure* and having heard the statements of counsel in support of the relief requested therein at a hearing (the "*Hearing*") before the Court; it appearing to the Court that (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334 and (b) this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); the Court finding notice of the *Application* and the *Hearing* sufficient under the circumstances; the Court finding that Freeborn & Peters LLP ("*F&P*") is, in all respects, qualified for retention by the Trustee pursuant to section 327(f)<sup>a</sup> of the Bankruptcy Code and Rule 2014 of the Federal Rules of Bankruptcy Procedure (the "*Bankruptcy Rules*"); and the Court being fully advised in the premises and having determined that the legal and factual bases set forth in the *Application* and at the *Hearing* establish just cause for the relief granted herein;

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:


1. The *Application* shall be, and hereby is, granted in all respects, *on an interim basis*

2. The Trustee shall be, and hereby is, authorized to retain and employ Harley J. Goldstein, Esq., Neal H. Levin, Esq., and the law firm of F&P as its counsel in the above-captioned, jointly-administered cases pursuant to section 327<sup>(b)</sup> of the Bankruptcy Code and Rule 2014 of the Bankruptcy Rules, *pending the final hearing described in paragraph 5 herein.*

3. F&P shall be compensated for its services and reimbursed for its actual, necessary, and reasonable expenses or other disbursements incurred in connection with such services in accordance with applicable provisions of the Bankruptcy Code, the Bankruptcy Rules, the Local Rules of the United States Bankruptcy Court for the Northern District of Illinois, the provisions of the Application, and any interim compensation procedures order approved by the Court.

4. This Order is effective as of August 16, 2004.

Dated: August \_\_\_\_\_, 2004

  
UNITED STATES BANKRUPTCY JUDGE  
AUG 18 2004

→ 5. A final hearing on the Application shall be held on September 22, 2004, at 10:00 a.m. Notice of such hearing shall be provided to the Debtors, the Debtors' counsel, and all parties who filed requests for notice in these cases. Objections to the Application must be filed on or before September 15, 2004.